

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MICHAEL DURTHALER,	:	CASE NO.: 2:10-cv-01068 EAS-TPK
	:	
Plaintiff,	:	(Judge Sargis)
	:	
vs.	:	(Magistrate Kemp)
	:	
ACCOUNTS RECEIVABLE MANAGEMENT, INC.	:	<u>DEFENDANT'S MOTION FOR</u>
	:	<u>SUMMARY JUDGMENT</u>
	:	
Defendant.	:	
	:	

Pursuant to Fed. R. Civ. P. 56, Defendant Accounts Receivable Management, Inc. ("ARM") moves the Court for an Order granting summary judgment as no genuine issue of material fact exists precluding summary judgment in ARM's favor as: (1) the factual allegations in Plaintiffs Complaint are, by Plaintiff's own admission, false; (2) ARM's alleged telephone calls to Plaintiff were not harassing, abusive or oppressive pursuant to 15 U.S.C. §§ 1692d and 1692d(5); (3) Plaintiff lacks standing to pursue his 15 U.S.C. § 1692e(11) claim; and (4) to the extent a violation of 15 U.S.C. § 1692e(11) occurred, ARM has a bona fide error defense that negates liability.

This motion is based upon the accompanying memoranda of law and its attachments, together with the argument of counsel, and all of the files, records and proceedings herein.

Respectfully submitted:

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed electronically using the
Court's CM/ECF filing system on November 15, 2011 which will serve a copy on:

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